

By: Burkett

H.B. No. 2389

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the supervision of pharmacist-interns, pharmacy
3 technicians, and pharmacy technician trainees by a pharmacist and
4 the adoption of rules by the Texas State Board of Pharmacy.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 551.003, Occupations Code, is amended by
7 adding Subdivision (15-a) to read as follows:

8 (15-a) "Direct supervision" means supervision by a
9 pharmacist who directs the activities of a pharmacist-intern,
10 pharmacy technician, or pharmacy technician trainee to a sufficient
11 degree to ensure the activities are performed accurately, safely,
12 and without risk of harm to patients, as specified by board rule.

13 SECTION 2. Section 554.053(a), Occupations Code, is amended
14 to read as follows:

15 (a) The board shall establish rules for the use and the
16 duties of a pharmacy technician and pharmacy technician trainee
17 employed by [in] a pharmacy licensed by the board. A pharmacy
18 technician and pharmacy technician trainee shall be responsible to
19 and must be directly supervised by a pharmacist.

20 SECTION 3. Subchapter B, Chapter 554, Occupations Code, is
21 amended by adding Section 554.058 to read as follows:

22 Sec. 554.058. RULES PROHIBITING REMOTE ACCESS. The board
23 may not adopt rules prohibiting a pharmacist, a pharmacist-intern,
24 or a pharmacy technician employed by a pharmacy from accessing the

1 pharmacy's database from a remote location to perform certain
2 prescription processing functions, provided the pharmacy
3 establishes controls to protect the privacy and security of
4 confidential information.

5 SECTION 4. This Act takes effect September 1, 2017.